IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:05CV370-1-MU

JUAN CARLOS MORALES,)	
Plaintiff,)	
v.)	<u>ORDER</u>
LT. JASON HONEYCUTT, <u>et</u> <u>al.</u> ,)	
Defendants.)	
)	

THIS MATTER is before this Court upon Defendants' Motion to Dismiss filed on February 6, 2006. It appears that the Defendants may be entitled to dismissal as a matter of law.

You now have the opportunity to reply to the Defendants' Motion to Dismiss. You may not allege new facts surrounding the events in question as part of this reply. You should base your argument solely on the allegations contained in the original Complaint.

PLAINTIFF MORALES READ THIS:

TO DISMISSAL.

Plaintiff is further hereby advised that he has thirty (30) days from the filing of this Order in which to file documents, affidavits, or unsworn declarations in opposition to the Motion to Dismiss.

FAILURE TO RESPOND WITHIN THIS TIME PERIOD MAY SUBJECT THIS ACTION

THEREFORE, IT IS HEREBY ORDERED that the Plaintiff has thirty (30) days from the filing of this Order in which to provide his own documents, affidavits, or declarations countering the evidence offered by Defendants' Motion to Dismiss.

Signed: February 8, 2006

Graham C. Mullen

United States District Judge